

**53A-15-101. Higher education courses in the public schools --  
Cooperation between public and higher education -- Partial tuition -- Reporting.**

(1) The State Board of Education in collaboration with the State Board of Regents shall implement:

(a) a curriculum program and delivery system which allows students the option to complete high school graduation requirements and prepares them to meet college admission requirements at the conclusion of the eleventh grade, but does not preclude a student involved in accelerated learning programs from graduating at an earlier time;

(b) a program of selected college credit courses in general and career and technical education made available in cooperation with the State Board of Regents, as resources allow, through concurrent enrollment with one or more of the state's institutions of higher education;

(c) a course of study for a student who decides to continue on through the twelfth grade that would allow the student to take courses necessary to graduate from high school, and at the student's option, to become better prepared for the world of work, or complete selected college level courses corresponding to the first and second year of course work at a university, college, or community college in the state system of higher education; and

(d) a program for advanced placement which permits students to earn high school credits while qualifying to take advanced placement examinations for college credit.

(2) The delivery system and curriculum program shall be designed and implemented to take full advantage of the most current available educational technology.

(3) The State Board of Regents shall adopt rules to ensure the following:

(a) early high school graduates who are academically prepared and meet college admission requirements may be enrolled in one of the state's institutions of higher education;

(b) college credit courses are taught in high school concurrent enrollment programs by college or university faculty or public school educators under the following conditions:

(i) to ensure that students are prepared for college level work, an appropriate assessment is given:

(A) prior to participation in mathematics and English courses; and

(B) in meeting prerequisites previously established for the same campus-based course by the sponsoring institution;

(ii) public school educators in concurrent enrollment programs must first be approved as adjunct faculty and supervised by a state institution of higher education;

(iii) teaching is done through live classroom instruction or telecommunications;

(iv) collaboration among institutions to provide opportunities for general education and high demand career and technical education concurrent enrollment courses to be offered statewide, including via technology;

(v) course content, procedures, and teaching materials in concurrent enrollment programs are approved by the appropriate department or program at an institution of higher education in order to ensure quality and comparability with courses offered on college and university campuses;

(vi) concurrent enrollment may not include high school courses that are typically offered in grades 9 or 10, except as provided under Subsection (3)(b)(viii);

(vii) students may only be charged fees or partial tuition in accordance with Subsections (9)(c) and (10); and

(viii) the provisions under Subsection (3)(b)(vi) do not apply to an early college high school; and

(c) college credits obtained under this section shall be accepted for transfer of credit purposes as if they had been obtained at any public institution of higher education within the state system.

(4) (a) Concurrent enrollment courses shall be introductory-level general education, career and technical education, or pre-major college-level courses at a state institution of higher education leading toward a certificate or degree.

(b) The State Board of Regents shall develop technology-intensive concurrent enrollment courses, designed as:

(i) hybrid courses, having a blend of different learning activities available both in classrooms and online; or

(ii) courses delivered exclusively online.

(c) The courses described in Subsection (4)(b) shall facilitate articulation, transfer of credit, and when possible, use open source materials available to all state institutions of higher education in order to reduce costs.

(5) Except as provided in Subsection (6)(b), concurrent enrollment courses may be offered to high school students only by the state institution of higher education in the corresponding geographic service region, as designated by the State Board of Regents.

(6) (a) A local school board or charter school governing board shall contact the state institution of higher education in the corresponding geographical service region to provide a concurrent enrollment course, and the higher education institution shall respond to the request within 60 days after the day on which the board contacts the institution on whether the institution chooses to offer the requested course.

(b) (i) If the state institution of higher education in the corresponding service region chooses not to offer the concurrent enrollment course, another state institution of higher education may offer the concurrent enrollment course.

(ii) Courses delivered through technology are not subject to the corresponding geographic service region requirement in Subsection (5).

(7) College-level courses taught in the high school carry the same credit hour value as when taught on a college or university campus and apply toward graduation on the same basis as courses taught at an institution of higher education to which the credits are submitted.

(8) The State Board of Education shall provide students in the public schools with the option of accelerating their educational program and graduating at the conclusion of the eleventh grade.

(9) (a) The State Board of Education and State Board of Regents shall work in close cooperation in developing, implementing, and evaluating the program established under this section, including working together to effectively advise high school students on registering for concurrent enrollment courses, as described in Section 53B-1-109.

(b) (i) Each high school shall receive its proportional share of concurrent enrollment money appropriated or allocated pursuant to Section 53A-17a-120.5 based

upon the hours of higher education course work undertaken by students at the school under Subsections (1)(b) and (1)(c) as compared to the state total.

(ii) School districts shall contract with institutions of higher education to provide the higher education services required under this section.

(c) Higher education tuition and fees may not be charged for participation in this program, except that each institution within the state's higher education system may charge:

(i) a one-time per student per institution admissions application fee for concurrent enrollment course credit offered by the institution; and

(ii) except as provided in Subsection (10), partial tuition of up to \$30 per credit hour for each concurrent enrollment course for which the student receives college credit, paid directly to the institution of higher education that offers the credit.

(d) Payment of the fee under Subsection (9)(c)(i) satisfies the general admissions application fee requirement for a full-time or part-time student at an institution so that no additional admissions application fee may be charged by the institution.

(10) (a) A state institution of higher education may only charge a concurrent enrollment student who qualifies for free or reduced price school lunch partial tuition of up to \$5 per credit hour for each concurrent enrollment course for which the student receives college credit.

(b) If a concurrent enrollment course is taught by a public school educator in a public school facility, a state institution of higher education may only charge up to \$10 per credit hour for the concurrent enrollment course for which the student receives college credit.

(c) If a concurrent enrollment course is taught through video conferencing, a state institution of higher education may only charge up to \$15 per credit hour for the concurrent enrollment course for which the student receives credit.

(11) The State Board of Regents shall annually report to the Legislature's Higher Education Appropriations Subcommittee on any partial tuition charged pursuant to Subsection (9)(c).

Amended by Chapter 75, 2013 General Session